

HOUSE JOURNAL

SEVENTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-FIRST DAY — MONDAY, APRIL 10, 1995

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 152).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Coleman; Combs; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgenuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Absent, Excused — Clemons; Conley.

Absent — Gallego; Sadler.

The invocation was offered by Eugene H. Hoover, pastor, Travis Oaks Baptist Church, Austin.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of a funeral:

Conley on motion of Rodriguez.

The following member was granted leave of absence for today because of a family emergency:

Clemons on motion of McCoulskey.

SIGNED BY THE SPEAKER

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled bills and resolutions:

HB 655, HB 1527, HCR 19, HCR 88, HCR 122

MESSAGE FROM THE SENATE

Austin, Texas, April 10, 1995

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

SB 390 by Harris, Chris, relating to the disclosure of property valuation information to the owner of property to be acquired for public use.

Respectfully,
Betty King
Secretary of the Senate

(Gallego now present)

SIGNED BY THE SPEAKER

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled resolutions:

SCR 97, SCR 100, SCR 111, SCR 112

HCR 140 - ADOPTED

Representative Talton moved to suspend all necessary rules to take up and consider at this time **HCR 140**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Talton,

HCR 140, In memory of Joe Manor.

The resolution was read and was unanimously adopted by a rising vote.

On motion of Representative Krusee, the names of all the members of the house were added to **HCR 140** as signers thereof.

CAPITOL PHYSICIAN

Speaker Laney presented Dr. Ralph Bailey of Gatesville as the "Doctor for the Day."

The house welcomed Dr. Bailey and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

HR 558 - ADOPTED

Representative B. Turner moved to suspend all necessary rules to take up and consider at this time **HR 558**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By B. Turner,

HR 558, Honoring the 15th Air Force, 464th Bomb Group, 776th Squadron.

The resolution was adopted without objection.

RESOLUTIONS REFERRED TO COMMITTEE

The following resolutions were laid before the house and referred to committee:

By Duncan and D. Jones,

HR 556, Commending the Center for Public Service at Texas Tech University for its Military Base Conversion and Community Assistance Program.

To Committee on Rules and Resolutions.

By Saunders,

HR 560, Honoring Mary Lee Higgins.

To Committee on Rules and Resolutions.

By Finnell,

HR 561, Honoring the Bowie High School Lady Rabbits basketball team.

To Committee on Rules and Resolutions.

By Pitts,

HR 562, In memory of First Lieutenant Jack Lummus.

To Committee on Rules and Resolutions.

By Dear,

HR 563, In memory of Richard Taylor.

To Committee on Rules and Resolutions.

By Hartnett,

HR 564, In memory of Officer Glenn Homs.

To Committee on Rules and Resolutions.

By Goolsby,

HR 565, Congratulating the Honorable William P. Clements, Jr., on his birthday.

To Committee on Rules and Resolutions.

By Hochberg,

HR 566, Congratulating Howard E. Jefferson on being named president of the Houston branch of the NAACP.

To Committee on Rules and Resolutions.

By Alvarado,

HR 567, In memory of San Antonio police officer Fabian Dominguez.

To Committee on Rules and Resolutions.

By Denny,

HR 568, Honoring the life of Tom Hughes.

To Committee on Rules and Resolutions.

By Naishtat,

HR 569, Designating April 18, 1995, as John Henry Faulk Day.
To Committee on Rules and Resolutions.

By Davis,

HR 570, Honoring Sylvia L. Benenson for her many outstanding contributions to the citizens of Dallas.

To Committee on Rules and Resolutions.

By Bosse, Talton, Crabb, and Zbranek,

HCR 159, Declaring October 13-15, 1995, to be Boom Town Blow Out Days in Texas.

To Committee on Rules and Resolutions.

HB 3206 - PERMISSION TO INTRODUCE

Representative Denny moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3206**.

A record vote was requested.

The motion prevailed by (Record 153): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Black; Bosse; Brady; Brimer; Carter; Chisum; Combs; Cook; Corte; Counts; Crabb; Craddock; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Maxey; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Conley.

Absent — Berlanga; Carona; Coleman; Elkins; Hartnett; Junell; Marchant; Moreno; Patterson; Sadler.

HB 3207 - PERMISSION TO INTRODUCE

Representative Rangel moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3207**.

A record vote was requested.

The motion prevailed by (Record 154): 136 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Averitt; Bailey; Black; Bosse; Brady; Brimer; Carter; Chisum; Combs; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Maxey; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Nixon; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Conley.

Absent — Alvarado; Berlanga; Carona; Coleman; Dukes; Elkins; Gray; Marchant; Moreno; Oakley; Sadler.

STATEMENT OF VOTE

When Record No. 154 was taken, I was temporarily out of the house chamber. I would have voted yes.

Carona

HB 3208 - PERMISSION TO INTRODUCE

Representative Brimer moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3208**.

A record vote was requested.

The motion prevailed by (Record 155): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Coleman; Combs; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Dutton; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Nixon; Oakley; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo;

Rusling; Saunders; Seidlits; Serna; Siebert; Smithee; Solis; Staples; Stiles; Swinford; Talton; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Conley.

Absent — Duncan; Edwards; Gray; Moreno; Ogden; Sadler; Shields; Solomons; Telford; Uher.

SB 971 AND SB 959 - ORDERED NOT PRINTED

Representative Saunders moved to suspend House Rule 12, Section 1(a)(1)(A), to not print the bill text in the committee reports on **SB 971** and **SB 959**.

The motion prevailed without objection.

INTRODUCTION OF GUEST

The speaker recognized Representative H. Cuellar, who introduced Guillermo Benavides of Laredo.

HB 1863 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1863, A bill to be entitled An Act relating to eligibility for and the provision of services and other assistance to needy people, including health and human services and assistance in becoming self-dependent.

The bill was read third time.

Amendment No. 1

On behalf of Representatives Coleman and Chisum, Representative Hilderbran offered the following amendment to the bill:

Amend **HB 1863** on third reading as follows:

Amend Section 7.06(c)(2), to read as follows:

Section 7.06(c)(2) guidelines specifying whether the assistance is a one-time cash payment to the family provided that the assistance may not be provided more than twice in one year unless the department has developed other appropriate limitations; and".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Coleman offered the following amendment to the bill:

Amend **HB 1863** on third reading as follows:

On pages 1 and 2, amend Sec. 1.02 of the bill by amending Sec. 31.003(a) to read as follows:

Sec. 31.003. AMOUNT OF FINANCIAL ASSISTANCE. (a) The department shall adopt rules governing the determination of the amount of financial assistance to be granted for the support of a dependent child. The

amount granted, when combined with the income and other resources available for the child's support, must be sufficient to provide the child with a subsistence compatible with decency and health. The department may not provide additional financial assistance for any child born to a recipient of Aid to Families with Dependent Children (AFDC) more than 10 months after the date on which the recipient is determined eligible to receive financial assistance, if the paternity of the dependent child has not been established for the purpose of enforcing child support and if the recipient already has two or more children. The department may provide financial assistance for a child born to a former recipient of AFDC who reapplies for AFDC and who has not been receiving AFDC for a minimum of 12 consecutive months immediately preceding the date of reapplication. This section does not prohibit the department from providing medical assistance, child care, or any other social or support services for the excluded child if the child meets all other appropriate eligibility requirements for financial assistance under this chapter.

Amendment No. 2 was adopted without objection.

HB 1863, as amended, was passed. (Dutton and Edwards recorded voting no)

HB 2313 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 2313**.

CSHB 2313, A bill to be entitled An Act relating to abolition of the Lamar University System, the transfer of the institutions in that system to the Texas State University System, and to the composition of the board of regents of the Texas State University System.

CSHB 2313 was read second time.

(Sadler now present)

(Brimer in the chair)

(Speaker in the chair)

Amendment No. 1

Representative Price offered the following amendment to **CSHB 2313**:

Amend **CSHB 2313** as follows:

(1) Strike Section 9 and Substitute the following section:

SECTION 9. AMENDMENT. Section 54.523, Education Code, is amended by amending Subsections (a) and (c) and adding new Subsection (e) to read as follows:

(a) To the extent approved by the students under Subsection (b) of this section, the board of regents of the Texas State University System may charge each student enrolled in a university or educational center under its authority a student center fee not to exceed \$70 per semester of \$35 per six-week summer term to be used to construct, operate, maintain, improve, and program a student center at the university or educational center at which the student is enrolled.

(c) The chief fiscal officer of each university operating a student center, either on its central campus or at an educational center of the university, shall collect the student center fee and shall deposit the money received into an account known as the student center account.

(e) The board may charge a student center fee under this section at Lamar University or an educational center of Lamar University in the amount charged at the appropriate institution in the 1994-95 academic year under former Section 54.517 or 108.361 as approved by a majority of the students of the institution voting in an election called for that purpose, as if the fee had been approved by a majority vote of the students under this section. Revenue from the fee charged under this section at an educational center of Lamar University may be used to pay the principal of an interest on revenue bonds issued under former Section 108.361 for the purpose of constructing a student center at the educational center.

(2) Strike Section 12 and insert the following section:

SECTION 12. REPEALER. The following provisions of the Education Code are repealed:

(1) Section 54.517;

(2) Chapter 108; and

(3) Section 54.523(e), as that section exists immediately before this Act takes effect.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Gallego offered the following amendment to **CSHB 2313**:

Amend **CSHB 2313** by striking Sections 7 and 13 of the bill and renumbering the other sections accordingly,

Representative R. Lewis moved to table Amendment No. 2.

The motion to table was lost.

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative R. Lewis offered the following amendment to **CSHB 2313**:

Amend **CSHB 2313** by striking all below the enacting clause and substituting the following:

SECTION 1. (a) The Texas Higher Education Coordinating Board shall conduct a study to determine the most appropriate governing structure for the institutions of higher education in the Lamar University System.

(b) In the study the board shall consider:

(1) whether retaining the Lamar University System to govern those institutions would be in the best interest of the institutions, the citizens of Southeast Texas, and this state;

(2) whether governance of those institutions would be more appropriately assigned to another university system or university governing board in this state, in particular The University of Texas System, The Texas A&M University System, the Texas State University System, and the University of Houston board of regents; and

(3) the relative advantages and disadvantages of governance of those institutions by the Lamar University System board of regents and each of the university systems or governing boards listed by name in Subdivision (2) of this subsection, with due consideration of all relevant factors, including adequacy of support and funding of those institutions, efficiency in the use of state resources, and effectiveness of management of those institutions.

(c) The coordinating board shall report the results of the study to the legislature and the presiding officer of the governing board of each university system listed in Subsection (b)(2) of this section not later than November 1, 1996.

SECTION 2. This Act expires January 1, 1997.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

(Harris in the chair)

Representative Stiles moved to table Amendment No. 3.

The motion to table prevailed.

(Speaker in the chair)

CSHB 2313, as amended, was passed to engrossment. (R. Lewis recorded voting no)

HB 835 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 835, A bill to be entitled An Act relating to violation of speed limits required by federal law.

The bill was read second time and was passed to engrossment.

HB 1192 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 1192, A bill to be entitled An Act relating to the creation, powers, and duties of the Texas Volunteer Health Corps.

The bill was read second time.

Representative Berlanga moved to postpone consideration of **HB 1192** until 10 a.m. Tuesday, April 18.

The motion prevailed without objection.

HB 1648 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 1648, A bill to be entitled An Act relating to the criminal jurisdiction of justice courts.

The bill was read second time and was passed to engrossment.

HB 1086 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 1086, A bill to be entitled An Act relating to disqualification for the receipt of unemployment compensation benefits based on the receipt of certain periodic payments.

The bill was read second time.

Amendment No. 1

On behalf of Representative Harris, Representative Brimer offered the following amendment to the bill:

Strike the entire Section 2 of **HB 1086** and substitute the following:

SECTION 2. Section 207.050, Labor Code, is amended to read as follows:
Sec. 207.050. Receipt of Pension or Annuity.

(a) Except as provided by Subsection (b), an [An] individual is disqualified for benefits for a benefit period for which the individual is receiving or has received a governmental or other pension, retirement or retired pay, an annuity, or any other similar periodic payment based on the previous work of the individual and reasonably attributable to the benefit period.

(b) If a periodic payment described by Subsection (a) is received by an individual under the federal Social Security Act, the commission shall consider the individual's contribution and may not reduce the weekly benefit amount.

(c) Notwithstanding Subsection (a), if the remuneration received by an individual is less than the benefits that the individual would otherwise be eligible to receive, the individual is entitled to receive benefits for the benefit period that are reduced by the amount of the remuneration, adjusted as provided by Section 207.006.

(d) This section is enacted because Section 3304(a)(15) of the Federal Unemployment Tax Act (26 U.S.C. Section 3304(a)(15)) requires that this provision be enacted in state law as of January 1, 1978, as a condition for full tax credit against the tax imposed by that Act. If Section 3304(a)(15) of the Federal Unemployment Tax Act (26 U.S.C. Section 3304(a)(15)) is amended to modify these federal requirements, the modified requirements are applicable under this section to the extent required for full tax credit rather than this section.

Amendment No. 1 was adopted without objection.

HB 1086, as amended, was passed to engrossment.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business:

Hudson on motion of J. Jones.

HB 1689 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 1689**.

CSHB 1689, A bill to be entitled An Act relating to training for members of the governing boards of public institutions of higher education.

CSHB 1689 was read second time.

Amendment No. 1

Representative Cook offered the following amendment to **CSHB 1689**:

Amend **CSHB 1689** by amending Subsection (a) as follows:

- (1) On page 1, line 14 strike "seminar".
- (2) On page 1, line 16 strike "seminar".
- (3) On page 1, line 18 strike "seminar" and substitute "training program".
- (4) On page 1, line 19 strike "seminar" and substitute "training program".

Amendment No. 1 was adopted without objection.

CSHB 1689, as amended, was passed to engrossment.

HB 1146 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 1146, A bill to be entitled An Act relating to tuition and fees at a public institution of higher education for a nonresident student holding a competitive academic scholarship.

The bill was read second time.

Representative Mowery moved to postpone consideration of **HB 1146** until the end of the calendar.

The motion prevailed without objection.

HB 1087 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 1087**.

CSHB 1087, A bill to be entitled An Act relating to a county strategic plan.

CSHB 1087 was read second time.

Amendment No. 1

Representative B. Turner offered the following amendment to **CSHB 1087**:

Amend **CSHB 1087** on page 1, lines 13-15, by striking "(b) The commissioners court shall determine the elements required to be included in the county's strategic plan. Except as provided by Subsection (c), the plan must include:" and by substituting the following "(b) If the commissioners court decides to prepare a strategic plan under Subsection (a), the commissioners court shall determine the elements required to be included in the county's strategic plan. Except as provided by Subsection (c), the plan must include:"

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representatives Dukes and H. Cuellar offered the following amendment to **CSHB 1087**:

Amend **CSHB 1087** as follows:

(1) On page 3, line 11, strike "to determine" and insert "for the plan's incorporation into the county's plan and in determining"

(2) On page 3, line 13, insert the following after the period:

"The official, department, or agency shall work with and assist the commissioners court in the preparation of the county's strategic plan as the plan relates to the duties of the official, department, or agency."

Amendment No. 2 was adopted without objection.

CSHB 1087, as amended, failed to pass to engrossment. (Junell recorded voting no) (The vote was reconsidered on Tuesday, April 11, and **CSHB 1087** again failed to pass engrossment.)

HB 1115 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 1115, A bill to be entitled An Act relating to filling a vacancy on the boards of certain mass transit authorities.

The bill was read second time and was passed to engrossment.

HB 1605 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 1605**.

CSHB 1605, A bill to be entitled An Act relating to the licensing of insurance agents.

CSHB 1605 was read second time.

Amendment No. 1

Representative T. Hunter offered the following amendment to **CSHB 1605**:

Amend **CSHB 1605**, as follows:

1. On page 2, line 15, after the word "Act" add ", The Texas Professional Corporation Act"

2. On page 12, line 6, delete the word "annual" and substitute in lieu thereof the word "application".

Amendment No. 1 was adopted without objection.

CSHB 1605, as amended, was passed to engrossment.

HB 1743 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 1743**.

CSHB 1743, A bill to be entitled An Act relating to preservation of historic properties by certain municipalities.

CSHB 1743 was read second time and was passed to engrossment. (Heflin recorded voting no)

HB 201 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 201**.

CSHB 201, A bill to be entitled An Act relating to certain requirements for registration or certification by the Texas Board of Professional Land Surveying.

CSHB 201 was read second time.

Amendment No. 1

Representative Giddings offered the following amendment to **CSHB 201**:

Amend **CSHB 201** as follows:

- (1) On page 3, line 1, strike "six" and substitute "four".
- (2) On page 3, line 6, strike "ten" and substitute "eight".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Farrar offered the following amendment to **CSHB 201**:

Amend **CSHB 201** as follows:

- (1) On page 2, line 22, strike the word "four", and substitute the word "three".

Amendment No. 2 was adopted without objection.

CSHB 201, as amended, failed to pass to engrossment.

HB 875 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 875**.

CSHB 875, A bill to be entitled An Act relating to the appointment to and the powers and duties of a municipal zoning board of adjustment.

CSHB 875 was read second time and was passed to engrossment.

RESOLUTIONS CALENDAR

The speaker laid before the house the following resolutions on committee report:

By Berlanga,

HCR 91, Granting the National Hispanic Institute permission to use the house and senate chambers July 26-28, 1995.

The resolution was adopted.

By R. Cuellar,

HCR 106, Requesting the governor to return House Concurrent Resolution 79 to the house of representatives and instructing the enrolling clerk of the house to correct the resolution.

Representative R. Cuellar moved to lay **HCR 106** on the table subject to call.

The motion prevailed without objection.

By Black,

HR 354, Granting the Texas Young Democrats permission to use the house chamber on April 23, 1995.

The resolution was adopted without objection.

HB 1146 ON SECOND READING

The speaker laid before the house, as postponed business, on its second reading and passage to engrossment,

HB 1146, A bill to be entitled An Act relating to tuition and fees at a public institution of higher education for a nonresident student holding a competitive academic scholarship.

HB 1146 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Greenberg offered the following amendment to the bill:

Amend **HB 1146** as follows:

On page 1, strike lines 14-19 and substitute the following: that section as it existed on January 1, 1995, until the date the student completes or withdraws from the degree program in which the student was enrolled on the effective date of this Act.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Smithee offered the following amendment to the bill:

Amend **HB 1146** by striking Section 1 and substituting the following:

SECTION 1. Section 54.064, Education Code, is amended to read as follows:

Sec. 54.064. **SCHOLARSHIP STUDENT FROM BORDERING STATE.** (a) If the governing board of an institution of higher education located not more than 75 miles from the boundary of this state with another state adopts the application of this section to the institution, a [A] student enrolled in the institution who is a resident of another state located within 75 miles of the institution and who holds a competitive academic scholarship of at least \$1000 for the academic year or summer for which the student is enrolled [and who is either a nonresident or a citizen of a country other than the United States of America] is entitled to pay the fees and charges required of Texas residents without regard to the length of time the student has resided in Texas. The student must compete with other students, including Texas residents, for the academic scholarship and the scholarship must be awarded by a scholarship committee officially recognized by the administration and be approved by the Texas Higher Education Coordinating Board under criteria developed by the board.

(b) The total number of students at an institution paying resident tuition

under this section for a particular semester may not exceed five percent of the total number of students registered at the institution for the same semester of the preceding academic year.

Representative Ogden moved to table Amendment No. 2.

The motion to table prevailed.

HB 1146, as amended, was passed to engrossment.

RULES SUSPENDED

Representative Place moved to suspend the 5-day posting rule to allow the Committee on Criminal Jurisprudence to consider **HB 1753** and **HB 2037**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Public Education, 2:30 p.m. today.

Conference Committee on **HB 1** (General Appropriations Bill), 3 p.m. today, Appropriations Committee Room, to consider **HB 1**.

Judicial Affairs, Subcommittee on Judicial Reform, 2:30 p.m. today.

County Affairs, Subcommittee on **HB 1169**, 10:30 a.m. or on adjournment today, Desk 123, to consider **HB 1169**.

Licensing and Administrative Procedures, Subcommittee on **SB 489**, on adjournment today, Desk 36, to consider **SB 489**.

Insurance, on adjournment today, Desk 24.

Civil Practices, on adjournment today, Desk 80, to consider **HB 1878** and **HB 1881**.

MESSAGE FROM THE SENATE

Austin, Texas, April 10, 1995

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 51 by Stiles and Price (Sponsor-Gallegos), in memory of Benjamin Joseph Rogers.

HCR 52 by Stiles and Zbranek (Sponsor-Galloway), in memory of James Ronald "Ronnie" McWaters.

HCR 118 by Hunter, Bob, et al. (Sponsor-Truan), commemorating the sesquicentennial of Texas statehood.

HCR 138 by Telford (Sponsor-Ratliff), commending Dr. John F. Moss for his service as president of East Texas State University at Texarkana.

HCR 140 by Talton, in memory of Joe Manor.

Respectfully,
Betty King
Secretary of the Senate

ADJOURNMENT

Representatives Finnell and Uher moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Garland C. Turner, former Hardeman County judge, and the Honorable Danny Hill, former house member from Potter County.

The motion prevailed without objection.

The house accordingly, at 1:10 p.m., adjourned until 10 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

Agriculture and Livestock - **HB 1757, SB 371**

Environmental Regulation - **HB 1826, HB 1876, HB 3072, SB 700**

Financial Institutions - **HB 1259, HB 1991, HB 2768, SB 661**

Higher Education - **HB 1338, HB 2309, HB 2994, HB 3122**

Human Services - **HB 865**

Insurance - **HB 2794, HB 3104**

Judicial Affairs - **HB 2093**

Land and Resource Management - **HB 32**

Licensing and Administrative Procedures - **HB 1065, HB 1329, HB 1719, HB 1872, HB 2355, HB 2367, HB 2451, HB 2518, HB 2732**

Natural Resources - **HB 1381, HB 1531, HB 1824, SB 361**

Pensions and Investments - **HB 1295, HB 1503, HB 1782, HB 1899, HB 2008, SB 864**

Public Health - **HB 1200, HB 1659, HB 1765, HB 2021, HB 2027, HB 2094, HB 2909**

State Affairs - **HB 2128**

State, Federal, and International Relations - **HR 82, HR 83**

ENROLLED

April 7 - **HB 655**

RECOMMENDATIONS OF THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION FILED WITH THE SPEAKER

April 7 - **HB 3096**